



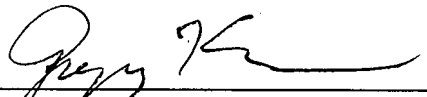
**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Raverdy et al.
APP. NO.: 09/904,394
FILED: July 12, 2001
TITLE: System And Method For Effectively Providing
User Information From A User Device
EXAMINER: Hussein A. El-chanti
ART UNIT: 2157
ATTY DKT NO: 50P4431/1597

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date printed below:

Dated: 5/29/07



Gregory J. Koerner

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This Response to Notification is being submitted in response to the
Notification of Non-Compliant Appeal Brief mailed on May 2, 2007.

Dependent Claims Argued Separately

The Continuation Sheet from the Notification of Non-Compliant Appeal Brief mailed on May 2, 2007 states that “*Applicant argues dependent claims 46-48, 50-51, and 53-61 but does not have a concise explanation of the subject matter in the claims*” (emphasis added). As support for requiring a “concise explanation” for dependent claims 46-48, 50-51, and 53-61, the Examiner cites Rule 41.37(c)(1)(v) for support. Applicants respectfully traverse, and submit that Rule 41.37 nowhere requires a “concise explanation” for any of the dependent claims involved in the Appeal.

In particular, Rule 41.37 requires only “[a] *concise explanation of the subject matter defined in each of the independent claims*” (emphasis added). With respect to the “dependent claims argued separately,” Rule 41.37 only requires that “*the structure, material, or acts described in the specification as corresponding to each claimed function must be set forth with reference to the specification*” (emphasis added). Applicants therefore submit that Rule 41.37 nowhere requires any sort of “concise explanation” for the dependent claims, as stated by the Examiner.

Furthermore, in a prior Response to Notification of Non-Compliant Appeal Brief filed on February 6, 2007, Applicants have already fully complied with Rule 41.37 by providing specific citations to the Specification, with individual references to exact page and line numbers, for each of the dependent

claims that are argued separately in the present Appeal. Applicants therefore submit that they have already fully “*set forth with reference to the specification*” the particular subject matter of each of the dependent claims argued separately, as described by Rule 41.37.

However, in order to respond fully to the present Notification of Non-Compliant Appeal Brief, Applicants herewith submit the attached Summary of Claimed Subject Matter that is amended in accordance with telephonic instructions given from Examiner Hussein El-chanti to Applicants’ representative, Gregory Koerner. In the amended Summary of Claimed Subject Matter, Applicants have added further description of subject matter in the dependent claims that are argued separately with appropriate citations to the Specification. Applicants therefore submit that the informalities indicated on the Notification of Non-Compliant Appeal Brief have been addressed in the amended Summary of Claimed Subject Matter.

Please replace the current "Summary of Claimed Subject Matter" with the amended substitute "Summary of Claimed Subject Matter" provided below.

(5) Summary of Claimed Subject Matter

In accordance with one embodiment of the present invention, an electronic system 110 may include, but is not limited to, a user device 114, a base station 122, a local area network (LAN) 130, an event server 138, and an Internet network 150. The user device 114 may be implemented as any appropriate type of electronic device. For example, the user device 114 may be configured as a portable wireless telecommunications device.

In certain embodiments, the user device 114 communicates bidirectionally with the base station 122 which may include a radio-frequency transceiver system to transmit and receive wireless communications to and from the user device 114. The base station 122 may be coupled to the LAN 130 which is implemented at a particular event location.

During the utilization of the foregoing embodiment, a system user may utilize a profile creator 812 from a profile module 324 of the user device 114 to create one or more profiles 412 related to the system user. The profiles 412 may include, but are not limited to, a real user profile 1012, a device profile 1016, a network profile 1020, a personality profile 1024, and a character profile 1028. The user device 114 may store the created profiles locally into a device memory 216. The system user may also utilize the profile creator 812 to subsequently edit

or modify any existing profiles 412.

Next, the system user may utilize a login/configuration module 320 of the user device 114 to perform a login procedure for gaining restricted access to the event server 138. During the login procedure, the user device 114 may provide an appropriate device profile 1016 to the event server 138 for identifying various specific configurations and functionalities of the user device 114. In certain embodiments, the user device 114 may also provide an appropriate network profile 1020 to the event server 138. In response, the event server 138 may optimize community services and community content that is directed towards the particular system user and user device 114.

Following the foregoing login procedure, the system user may utilize the user device 114 to select access to a particular community service on the event server 138. In accordance with the present invention, the community service may be related to a specified event location or may be directed towards a particular user community. The system user may then determine whether to submit a personality profile 1024 or a character profile 1028 from the user device 114 to the event server 138.

If the user device 114 contains no personality profiles 1024 or character profiles 1028 that are appropriate for the selected community service on the event server 138, then the system user may utilize the user device 114 to create an appropriate personality profile 1024 or character profile 1028, or alternately select a different service on the event server 138.

The system user may advantageously utilize a profile selector 816 from the user device 114 to select and send an appropriate personality profile 1024 or character profile 1028 to the event server. If the system user selects and sends an appropriate personality profile 1024 or character profile 1028 to the event server 138, then the system user may effectively utilize the selected community service on the event server 138 in conjunction with a related event location or user community.

Alternately, the system user may create and send a profiles request to the event server 138 to request various types of users information 618 including information from various selectable profiles 412 of other system users in the electronic system 110. The event server 138 may responsively provide the requested users information 618 and other related information from a community database or other appropriate source to the user device 114.

The system user may then utilize a profile analyzer 820 from the user device 114 to perform a profile information analysis procedure upon the requested users information 618. The system user may then make an informed decision to select and send an appropriate personality profile 1024 or character profile 1028 to the event server 138. Alternately, the system user may utilize the profile creator 812 to create a new personality profile 1024 or character profile 1028, or may edit an existing personality profile 1024 or character profile 1028 for transmission to the event server 138. The present invention thus provides an improved a system and method for effectively providing user information 618 from a user device 114.

Independent claim 45 recites “receiving a plurality of logon requests at a server that offers at least one service associated with an entertainment event, . . . each logon request comprising device profile information associated with the portable electronic device making the logon request, each logon request further comprising user profile information associated with the person using the portable electronic device making the logon request.” The foregoing subject matter is discussed in the Specification, for example, at page 24, line 11, through page 28, line 17 (FIGS. 10 and 11).

Claim 45 further recites “using the server to provide logon data to each portable electronic device making one of the logon requests, the logon data enabling each logged on portable electronic device to access each service offered by the server.” The foregoing subject matter is discussed in the Specification, for example, at page 22, line 23, to page 23, line 30.

Claim 45 also recites “receiving, during the event, from at least a portion of the portable electronic devices logged on the server, feedback information associated with a particular service offered by the server, the feedback being input to the logged on portable electronic devices by persons attending the event.” The foregoing subject matter is discussed in the Specification, for example, at page 23, lines 13-17.

Independent claim 49 recites “receiving a plurality of logon requests at a server that provides a plurality of services . . . , each logon request also comprising device profile information associated with the portable electronic

device making the logon request.” The foregoing subject matter is discussed in the Specification, for example, at page 24, line 11, through page 28, line 17 (FIGS. 10 and 11).

Claim 49 further recites “analyzing the user profiles associated with the persons using portable electronic devices logged on the server to identify at least one common user characteristic” and “automatically grouping at least a portion of the persons using logged on portable electronic devices into a user community” The foregoing subject matter is discussed in the Specification, for example, at page 20, lines 11-29.

Claim 49 additionally recites “automatically offering a particular one of the services to each person in the user community, the service offered being based on at least one of the common user characteristics that define the user community.” The foregoing subject matter is discussed in the Specification, for example, at page 22, line 23, to page 23, line 30.

Claim 49 also recites “receiving, during the event, from at least a portion of the portable electronic devices operated by persons in the user community, feedback information associated with the offered service.” The foregoing subject matter is discussed in the Specification, for example, at page 23, lines 13-17.

Independent claim 52 recites “receiving information from a plurality of portable electronic devices operated by persons physically attending an entertainment event, the event being at a particular location.” The foregoing

subject matter is discussed in the Specification, for example, at page 24, line 11, through page 28, line 17 (FIGS. 10 and 11).

Claim 52 further recites “analyzing the received information to identify at least one common characteristic shared by at least a portion of the persons operating the portable electronic devices” and “grouping persons who share the or each common characteristic into a user community.” The foregoing subject matter is discussed in the Specification, for example, at page 20, lines 11-29.

Claim 52 additionally recites “grouping persons who share the or each common characteristic into a user community” and “offering a service to the persons in the user community” The foregoing subject matter is discussed in the Specification, for example, at page 22, line 23, to page 23, line 30. Claim 52 also recites “receiving, during the event, from at least a portion of the portable electronic devices operated by persons in the user community, feedback information associated with the offered service.” The foregoing subject matter is discussed in the Specification, for example, at page 23, lines 13-17.

Claim 46 recites “analyzing the user profiles associated with the persons using portable electronic devices logged on the server to identify at least one common user characteristic; and based on the analyzing, automatically grouping at least a portion of the persons using logged on portable electronic devices into a user community, the user community being defined by the or each identified common user characteristic.” The foregoing subject matter is

discussed in the Specification, for example, at page 24, line 12, to page 28, line 17.

Dependent claim 47 recites “providing streaming content to a particular one of the portable electronic devices in response to receiving feedback information from the particular portable electronic device.” Dependent claim 50 similarly recites “providing streaming content to a particular one of the portable electronic devices in response to receiving feedback information from the particular portable electronic device.” Dependent claim 53 similarly recites “wherein the offered service comprises providing streaming content, the streaming content being associated with the entertainment event; and wherein the streaming content is provided to a particular one of the portable electronic devices in response to receiving feedback information from the particular portable electronic device.” The subject matter of dependent claims 47, 50, and 53 is described in the Specification, for example, on page 23, lines 5-17, and on page 14, lines 25-27.

Dependent claims 48 and 51 recite “the logon requests each comprise the particular location of the entertainment event. Dependent claim 54 similarly recites that “the information received from at least one of the portable electronic devices includes the particular location of the entertainment event.” The subject matter of dependent claims 48, 51, and 54 is described in the Specification on page 13, line 28, and on page 16, lines 5-12.

Dependent claim 55 recites that “said event is a live event that includes

at least one of a movie theater event, a sporting venue event, or a sports bar event. The subject matter of dependent claim 55 is described in the Specification on page 3, lines 15-16. Dependent claim 56 recites that “the information includes one or more real user profiles with authentic information related to system users, the portable electronic devices enforcing a strict security protocol to protect the real user profiles, the strict security protocol including an encryption procedure to encrypt the real user profiles prior to transmitting the real user profiles.” The subject matter of dependent claim 56 is described in the Specification on page 24, lines 12-20.

Dependent claim 57 recites that “the information includes one or more device profiles with configuration and functionality information for the portable electronic devices, the device profiles being automatically maintained and updated by the portable electronic devices.” The subject matter of dependent claim 57 is described in the Specification on page 24, lines 21-30. Dependent claim 58 recites that “the information includes one or more network profiles with configuration and functionality information for an electronic network used by the portable electronic devices, the network profiles being automatically maintained and updated by the portable user devices.” The subject matter of dependent claim 58 is described in the Specification on page 24, line 31, to page 25, line 9.

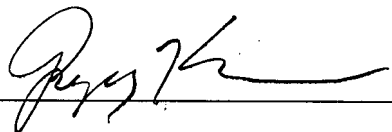
Dependent claim 59 recites that “the information includes one or more personality profiles with authentic information regarding selected personal

attributes of the persons operating the portable electronic devices, the persons creating and locally storing the personality profiles by utilizing the portable electronic devices.” The subject matter of dependent claim 59 is described in the Specification on page 25, lines 10-19. Dependent claim 60 recites that “the information includes one or more character profiles with non-authentic information regarding selected identification characteristics of the persons operating the portable electronic devices, the persons creating and locally storing the character profiles by utilizing the portable electronic devices, the character profiles including user nicknames.” The subject matter of dependent claim 60 is described in the Specification on page 26, lines 1-7.

Dependent claim 61 recites that “one or more of the persons operating the portable electronic devices create and send requests for profiles, wherein the requests for profiles request information from other users, and wherein the information from other users comprises profile information from others of the portable electronic devices.” The subject matter of dependent claim 61 is described in the Specification on page 27, line 31, to page 28, line 5.

Respectfully Submitted,

Date: 5/29/07

By: 

Gregory J. Koerner
Registration No. 38,519
Redwood Patent Law
1291 East Hillsdale Boulevard, Suite 205
Foster City, California 94404
(650) 358-4000